



APPLICATION ACCEPTED: October 16, 2006  
FIRST PLANNING COMMISSION PUBLIC HEARING: April 18, 2007  
SECOND PLANNING COMMISSION PUBLIC HEARING: June 13, 2007  
BOARD OF SUPERVISORS: June 18, 2007 @ 3:30 PM

# County of Fairfax, Virginia

---

May 30, 2007

## STAFF REPORT ADDENDUM I

### APPLICATION SEA 2004-DR-031

#### DRANESVILLE DISTRICT

**APPLICANT:** River Bend Golf and Country Club, Inc.

**ZONING:** R-E

**LOCATION:** 9901 Beach Mill Road & 9900 Aaron Chapel Road

**PARCEL(S):** 7-2 ((1)) 21A; 8-1 ((1)) 22, 23, 41; 8-3 ((1)) 4

**ACREAGE:** 175.8 acres

**PROPOSED FAR:** 0.015

**OPEN SPACE:** 95%

**PLAN MAP:** Private Recreation & .2-.5 du/ac

**SEA CATEGORY:** Category 5; Golf courses, country clubs  
Category 6; Use in the Floodplain

**PROPOSAL:** To amend SE 2004-DR-031 previously approved for a golf course and country club to permit the addition of a new maintenance facility; site modifications to remove the existing maintenance facilities; fill in the floodplain to permit stream restoration and stabilization. There is no increase in membership or change in operations proposed.

O:\jppapp0\SEA\SEA 2004-DR-031, River Bend Golf and Country Club\Addendum\ADDENDUM – SEA 2004-DR-031 River Bend Country Club.doc

---

#### Department of Planning and Zoning

Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703 324-1290  
FAX 703 324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)

## **STAFF RECOMMENDATIONS:**

Staff recommends approval of SEA 2004-DR-031, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirements along all property boundaries.

Staff recommends approval of a waiver of the barrier requirements along all property boundaries.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290 or TTY 711 (Virginia Relay Center).



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



**A GLOSSARY OF TERMS FREQUENTLY  
USED IN STAFF REPORTS MAY BE  
FOUND AT THE BACK OF THIS REPORT**

**BACKGROUND**

The applicant, River Bend Golf and Country Club, Inc. requests an amendment to SE 2004-DR-031, previously approved for a golf course and country club to permit the addition of a new maintenance facility, site modifications to remove the existing maintenance facilities; and fill in the floodplain to permit stream restoration and stabilization. There is no increase in membership or change in operations proposed with this application.

On April 18, 2007, the Planning Commission public hearing was held. During the hearing, a number of concerns were raised, including those of an adjacent property owner who was experiencing flooding from the western pond. The property owner claimed the flooding taking place on the property was due to changes to the dam that were made by the applicant. The Planning Commission deferred decision on the application in order for staff to further study the issues brought up at the public hearing.

Since that time, the applicant has continued working with staff to address outstanding concerns with the fill in floodplain and the status of the existing westernmost irrigation pond/dam which were raised during the public hearing. New information has been submitted by the applicant consisting of:

- Chronology of Events Associated with Existing Dam and Pond at Hole #4.
- The 1975 USGS Floodplain Study
- A copy of the recorded pond easement on the Wolfe Property dated May 17, 1978.
- 1982 Dam Inspection Report (from County records)
- The 1991 topographic survey
- The 2002 topographic survey
- The 2006 topographic survey
- Copy of email notifying the Army Corp of Engineers (ACOE) regarding repairs to the spillway in 2006 per Nationwide #3 permit.
- Aerial Photographs showing pond in 1960's and similar pond condition in the 2000's.
- Letter dated May 17, 2007, from William H Gordon Associates, Inc. discussing the results of comparing the change from a 12-inch outfall pip to a 24-inch pipe.

The proposal now includes the addition of a new maintenance building and site modifications throughout the application property. The proposed building addition consists of a new maintenance facility located to the west of the existing clubhouse. This structure will be a two story building, which will appear to be a single story structure from the main member parking area due to a drop in grade from the east to the west. Along with the new maintenance building, there will also be storage bins, a washdown area and employee parking. All of the new development is screened from the membership parking area. Beneath the proposed parking area are underground stormwater detention vaults for the new maintenance building.

Once the new maintenance facility is completed, the existing facility (located just to the south and consisting of three buildings) will be removed. These buildings are currently located with the Resource Protection Area (RPA). The tee, fairway and green for the new Hole 3 are proposed to be located in the location of the existing maintenance facility, which will require some fill within the RPA. (The current Hole 3 will be displaced by the new maintenance facility.)

A 625 sq/ft halfway house that was not shown on the previous SEA Plat has been added to the new plan. This structure is located just to the east of the existing gold pro shop between the green for Hole 9 and the tee for Hole 13. The GFA for this structure does not increase the FAR for the site due to its small footprint (625sq/ft), and the large area of the application site (175.8 acres).

The RPA that bisects the middle of the golf course is in fairly good condition; however, the applicant is proposing to fill  $\pm 7,500$  cubic yards, and cut  $\pm 7,500$  cubic yards within the floodplain in order to incorporate the relocation of Hole 3, and to even out the elevation changes along the stream banks to improve the overall outfall of the stream channels. The proposed channel and stream bank restoration includes the planting of 0.45 acres of wetland plantings and 2.49 acres of upland plantings along the banks. The applicant initially submitted a RPA exception to permit these improvements, but this exception request was determined to be unnecessary since the improvements being proposed are considered redevelopment; (redevelopment in an RPA does not require a RPA exception.) This is addressed further in the DPWES Analysis which follows. Under the current proposal, there is no longer cut and/or fill taking place in the area surrounding the westernmost pond as was shown on earlier versions of the SEA Plat.

## **ANALYSIS**

**Special Exception (SE) Plat** (copy at front of staff report addendum)

**Title of SEA Plat:** River Bend Golf & Country Club

**Prepared By:** William H. Gordon Associates, Inc.

**Date:** September 21, 2006, with revisions through May 16, 2007

The changes to the SEA Plat are fairly minimal and are as followed:

- The Overall Site Tabulations on Sheet 2 and Sheet 4 were updated to reflect the addition of a 625 sq/ft half-way house. This addition changed the Proposed GFA for the maintenance area from 22,500 to 23,125 square feet.
- Sheet 5 has been updated to show the removal of the proposed cut and fill along the banks and within the westernmost irrigation pond. The Floodplain Table was also updated to reflect this change so that the amount of cut and amount of fill are balanced at  $\pm 7,500$  cubic yards. A note has been added that states that no materials removed from the dredging of the pond will be placed within the floodplain or RPA. (A development condition has also been proposed that parallels this note.) Finally, an illustration of the proposed trash rack replacement for the primary outfall riser has been added.
- The second paragraph of the Best Management Practices (BMP) Narrative on Sheet 7 was updated to address the May 16, 2007, DPWES memorandum (Attachment 4) in regard to the Chesapeake Bay Preservation Ordinance (CBPO) comments. The new note states that there is no increase in impervious area on the overall development of the golf course, and that a Water Quality Impact Assessment (WQIA) and Water Quality Golf Course Management Plan will be submitted as required.
- Number A.4. of the Floodplain Narrative on Sheet 9 was updated in order to make the amount of cut and fill described in the narrative match the numbers shown in the Floodplain Table on Sheet 5.

At the public hearing testimony was provided that, contrary to earlier statements, there may have been modifications made to the western pond over the history of the country club. Following the public hearing, this issue was researched further, and it has been determined that there have been changes made to the pond. The most notable of these changes was the change in diameter of the primary outfall pipe from the pond to the toe of the dam. On May 26, 1982, the County conducted a Dam Safety Inspection (Appendix 5); at that time the, outfall pipe was a 27-inch diameter corrugated metal pipe; this pipe has since had a 12-inch diameter corrugated pipe

inserted within it due to the deterioration of the original pipe; this has severely decreased the outfall of the pond. The applicant has now agreed to remove the 12-inch diameter pipe, and replace it with a 24-inch diameter pipe to restore the outfall to its original condition. Although it is physically impossible to eliminate all ponding above the permanent water surface elevation, this change would make it possible to reduce the amount of time that the neighboring property is subjected to flooding (see Attachment 3). A development condition has been added, to require the applicant to restore the outfall.

**Department of Public Works and Environmental Services (DPWES)  
Analysis (Attachment 4)**

**Issue:** Chesapeake Bay Preservation Ordinance (CBPO)

The stream through the northern portion of the site and the two ponds are overlain by 1993 mapped Resource Protection Areas (RPAs). The applicant shows reconstruction of the greens, tees, fairways and stream, with removal of three maintenance buildings within the RPA, as well as construction of a stream stabilization project. A study to revise the boundary of the RPA will be submitted to DPWES upon final delineation of on-site wetlands by the Corps of Engineers and a Water Quality Impact Assessment will be required to be approved prior to final site plan approval for disturbances within the RPA.

While the work being proposed within the RPA is considered “redevelopment” and does not need an RPA exception, Best Management Practices (BMPs) for the site are required for new development; therefore, the applicant is required to incorporate BMPs into the development plan to achieve a 40% phosphorus removal efficiency. Staff also noted that the applicant should remove the second paragraph of the Best Management Practices Narrative on Sheet 7 as that condition does not apply to this site. (A Site Plan will be required to be submitted to construct the improvements rather than a non-bonded infill lot grading plan.)

**Resolution:** A development condition has been proposed which would require a Water Quality Impact Assessment to be approved prior to final site plan approval for any disturbances within the RPA. The second paragraph of the BMP Narrative on Sheet 7 of the SEA Plat has also been revised to reflect the comments from the May 25, 2007 DPWES memo. This issue is resolved.

**Issue:** Floodplain

A county regulated 100-year floodplain exists along the stream traversing the northern portion of the Property. The applicant indicated that the floodplain shown is based a USGS floodplain study. Staff noted that the USGS study did not encompass the entire length of stream across the Property, and that the applicant must identify the limits of the 100-year floodplain across the entire site and dedicate appropriate floodplain easements.

**Resolution:** The applicant has revised the SEA Plat to extend the 100-year floodplain from the eastern end of the USGS floodplain study to the western property line to show the 100-year floodplain across the entire site. Therefore, this issue has been addressed

**Issue:** Zoning Ordinance Provisions for Section 2-905

The approval to excavate and fill within the floodplain to construct the improvements is subject to the applicable provisions of Zoning Ordinance Section 2-905.

**Resolution:** The revised SEA Plat submitted by the applicant has been reviewed for compliance with the provisions, as discussed in the May 25, 2007, DPWES memo. The analysis of the review of the SEA Plat against the Section 2-905 Zoning Ordinance provisions can be found below in the "Other Zoning Ordinance Requirements" section of this Addendum. Several conditions have also been included to address these Ordinance provisions.

**Issue:** Stormwater Detention

An underground detention vault will be installed under the parking area of the new proposed maintenance building to address the increased runoff being created by the addition of 1.5 acres of new impervious surfaces. Staff noted that the applicant should provide the outfall location of the proposed underground detention vault on the plan and show any disturbances that might take place during its construction within the floodplain and RPA.

**Resolution:** The applicant has updated Sheet 7 of the SEA Plat to show the location of the outfall for the proposed underground stormwater detention vault as well as its location within the floodplain and RPA areas. Therefore, this issue has been addressed.

## **OTHER ZONING ORDINANCE REQUIREMENTS:**

### **Category 6 Standards, Provisions for Uses in a Floodplain (Sect. 9-606)**

This standard states that the Board may approve a special exception for the establishment of a use in a floodplain in accordance with the provisions of Part 9 of Article 2 (See Attachment 6 and below for these provisions). Staff has determined that the requested application meets the requirements of Part 9 of Article 2.

**Floodplain Regulations- Use Limitations (Sect. 2-905)**

Standard 1 states that, except as may be permitted by Par. 6 and 7 of Sect. 2-903, any new construction, substantial improvements, or other development, including fill, when combined with all other existing, anticipated and planned development, shall not increase the water surface elevation above the 100-year flood level upstream and downstream, calculated in accordance with the provisions of the Public Facilities Manual. A full floodplain study has been completed by William H. Gordon Associates and is dated February 22, 2007. The study provides an analysis of the pre- and post-development 100-year flood conditions that demonstrates that the proposed amount and location of cut and fill will not affect the 100-year flood water elevation. Staff does not believe that the fill of 7,500 cubic yards and 7,500 cubic yards of cut will have an adverse affect on the floodplain level. Therefore, staff believes that this standard has been satisfied.

Standard 2 states that, except as may be permitted by Par. 8 of Sect. 903, the lowest elevation of the lowest floor of any proposed dwelling shall be eighteen (18) inches or greater above the water-surface elevation of the 100-year flood level (which is 280.5 feet) calculated in accordance with the provisions of the Public Facilities Manual. The proposed structure being built is non-residential, and is not located within the floodplain; therefore, this standard is not applicable

Standard 3 states that all uses shall be subject to the provisions of Par. 1 of Sect. 2-602, which states that, notwithstanding the provisions of Sect. 2-601, no building shall be erected on any land and no change shall be made in the existing contours of any land, including any change in the course, width or elevation of any natural or other drainage channel, in any manner that will obstruct, interfere with, or change the drainage of such land, taking into account land development that may take place in the vicinity under the provisions of this Ordinance, without providing adequate drainage in connection therewith as determined by the Director in accordance with the provisions of the Public Facilities Manual. The applicant will be performing some work on the existing dam in order to replace the existing 12-inch diameter outfall pipe with a 24-inch pipe as per the proposed development condition. This replacement will bring the primary outfall pipe of the dam back to its original diameter in order to reduce the amount of time water is ponding on neighboring properties. There will also be an equal amount of cut and fill taking place in the floodplain order to accommodate the stream stabilization and channel restoration from the base of the existing dam to the eastern property boundary. Staff does not believe that the pipe replacement or the fill of 7,500 cubic yards and 7,500 cubic yards of cut will have an adverse affect on the floodplain level. Therefore, staff believes that this standard has been satisfied.

Standard 4 states that no structure or substantial improvement to any existing structure shall be allowed unless adequate floodproofing as defined in the Public Facilities Manual is provided. The applicant is not proposing any new or improved structures within the floodplain, and is in fact removing three structures that currently exist within the floodplain. Therefore, this standard is not applicable.

Standard 5 states that stable vegetation shall be protected and maintained in the floodplain to the extent possible. The applicant is proposing the removal of several groups of existing trees with this proposal in order to facilitate the stream channel restoration and stabilization. However, the proposed channel and stream bank restoration plan includes the planting of 0.45 acres of wetland plantings and 2.49 acres of upland plantings along the banks. Therefore, staff believes this standard has been satisfied.

Standard 6 states that, there shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., in a floodplain. A development condition to this effect has been proposed; therefore this standard has been satisfied.

Standard 7 states that, for uses other than those enumerated in Par. 2 and 3 of Sect. 2-903, the applicant shall demonstrate to the satisfaction of the approving authority the extent to which: there are no other feasible options available to achieve the proposed use; the proposal is the least disruptive option to the floodplain; and the proposal meets the environmental goals and objectives of the adopted Comprehensive Plan for the subject property. The applicant is proposing to remove three existing structures that are located within the floodplain, and is not replacing them with any new structures. The area is planned to be regraded and used as the green for the relocated Hole 3. This change improves the use in the floodplain by removing impervious area. As such, staff has concluded that the proposal meets the environmental goals and objectives of the adopted Comprehensive Plan with implementation of the proposed development conditions, and that this standard has been satisfied.

Standard 8 states that, nothing herein shall be deemed to prohibit the refurbishing, refinishing, repair, reconstruction or other such improvements of the structure for an existing use provided such improvements are done in conformance with the Virginia Uniform Statewide Building Code and Article 15 of this Ordinance. This standard is not applicable because the existing structures are being demolished and no new structures are being built within the floodplain.

Standard 9 states that nothing herein shall be deemed to preclude public uses and public improvements performed by or at the direction of the County. This standard is not applicable.

Standard 10 states that, notwithstanding the minimum yard requirements specified by Sect. 2-415, dwellings and additions thereto proposed for location in a floodplain may be permitted subject to the provisions of this Part and Chapter 118 of The Code. There are no new residential structures being constructed within the floodplain; therefore, this standard is not applicable.

Standard 11 states that all uses and activities shall be subject to the provisions of Chapter 118 of The Code. As stated above, a separate waiver to encroach into the RPA is not required due to the site be considered "redevelopment". A Water Quality Impact Assessment will still be needed prior to final site plan approval to meet the BMP reduction requirements for the site under the CBPO. A development condition has been proposed to address this standard; therefore this standard has been satisfied.

Standard 12 states that, when as-built floor elevations are required by federal regulations or the Virginia Uniform Statewide Building Code for any structure, such elevations shall be submitted to the County on a standard Federal Emergency Management Agency (FEMA) Elevation Certificate prior to approval of the final inspection. If a non-residential building is being floodproofed, then a FEMA Floodproofing Certificate shall be completed in addition to the Elevation Certificate. In the case of special exception uses, the Elevation Certificate shall show compliance with the approved special exception elevations. Since there are no structures being built within the floodplain this standard is not applicable.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Conclusions**

The applicant requests approval of a special exception to permit the addition of a new maintenance facility; site modifications to remove the existing maintenance facilities; and fill in the floodplain to permit stream restoration and stabilization. The application is in harmony with the Comprehensive Plan and in accordance with the applicable provisions of the Zoning Ordinance with the implementation of the proposed development conditions.

### **Recommendations**

Staff recommends approval of SEA 2004-DR-031 subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirements along all property boundaries.

Staff recommends approval of a waiver of the barrier requirements along all property boundaries.

It should be noted that it is not the intent of Staff to recommend that the Board of Supervisors, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of Staff; it does not reflect the position of the Board of Supervisors.

## **ATTACHMENTS**

1. Proposed Development Conditions
2. Affidavit
3. Statements of Justification
4. Department of Public Works and Environmental Services (DPWES) Analysis
5. County Dam Safety Inspection Summary
6. Applicable Zoning Ordinance Provisions
7. Glossary of Terms

## PROPOSED DEVELOPMENT CONDITIONS

**SEA 2004-DR-031**

**~~April 12~~ May 30, 2007**

If it is the intent of the Board of Supervisors to approve SEA 2004-DR-031 located at 9901 Beach Mill Road and 9900 Arnon Chapel Road (Tax Maps 7-2 ((1)) 21A; 8-1 ((1)) 22, 23, 41; 8-3 ((1)) 4) previously approved for country club and golf course ~~to permit certain building additions and site modifications~~ to permit the addition of a new maintenance facility; site modifications to remove the existing maintenance facilities; and fill in the floodplain to permit stream restoration and stabilization pursuant to Sections 3-E04 and 2-904 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions supersede all previous conditions approved by the BOS for the application property. Conditions previously approved by the BOS or those with minor modifications are marked with an asterisk (\*).

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat (SE Plat) approved with the application, as qualified by these conditions.\*
3. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.\*
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SE Plat entitled "River Bend Country Club," prepared by William H. Gordon Associates, Inc., consisting of 14 sheets, dated September 21, 2006 with revisions through ~~March 21, 2007~~ May 16, 2007, and Landscape Plan entitled "River Bend Country Club," prepared by William H. Gordon Associates, Inc., consisting of 1 sheet, dated September, 1999 with revisions through July 11, 2002. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.\*
5. The hours of operation shall be limited to the following:
  - Clubhouse- 7:00 a.m. to 1:00 a.m.
  - Swimming Pool- 7:30 a.m. to 10:00 p.m.
  - Golf Course- 7:30 a.m. to dusk
  - Outdoor Tennis Courts- 7:30 a.m. to 11:00 p.m.
  - Indoor Tennis Courts- 6:00 a.m. to 11:00 p.m.
  - Indoor Exercise Courts- 6:00 a.m. to 11:00 p.m.\*

6. If the indoor tennis courts are enclosed in a bubble rather than within a building, the inflation of the air enclosed bubble shall be permitted only between October 1 and May 31.\*
7. The country club membership shall be limited to 900 persons with a corresponding minimum of 257 parking spaces. All parking shall occur on-site as shown on the SE Plat. A strict no parking restriction along the existing ingress-egress easement that provides access to Beach Mill Road shall be enforced.\*
8. There shall be no construction or paving in the area south of the Resource Protection Area (RPA), beyond that shown on the SEA Plat. Vegetation as depicted on the SE plat shall be maintained immediately to the southeast of the existing paved area to promote filtration of stormwater runoff prior to its entry into the swale.
9. Existing vegetation shall be maintained as shown on the SE Plat.; subject to UFM approval. § supplemental landscaping, as shown on the Landscape Plan shall be maintained provided as follows:
  - Planting of the type and intensity of Transitional Screening Type II, along the northern property boundary opposite the access drive and operations building for the driving range, for a distance of 450 feet from the private drive extending from Beach Mill Road, and containing a minimum width of 50 feet, to provide ~~additional~~ screening of the 10 space parking lot and operations building from adjacent residences;
  - Existing vegetation along the southern and western property boundary for the driving range supplemented with evergreen plant materials to provide year round screening of the driving range where possible, as determined by Urban Forest Management, for existing and future residential lots.\*
10. During discharge of swimming pool waters, the following operation procedures shall be implemented:
  - Sufficient amounts of lime or soda ash shall be added to the acid cleaning solution in order to achieve a pH approximately equal to that of the receiving stream. The Virginia Water Control Board Standards for the class II and III waters found in Fairfax County range in pH from 6.0 to 9.0. In addition, the standard dissolved oxygen shall be attained prior to the release of pool waters and shall require a minimum concentration of 4.0 milligrams per liter.
  - If the water being discharged from the pool is discolored or contains a high level of suspended solids that could affect the clarity of the receiving stream, the water shall be allowed to stand so that most of the solids settle out prior to being discharged.\*
11. ~~Prior to any land disturbance in the RPA, the applicant shall obtain a Northern Virginia Soils and Water Conservation District approved water quality conservation~~

~~plan that shall address final site plan approval for the disturbances within the RPA, a Water Quality Impact Assessment shall be submitted to and approved by DPWES. A Water Quality Conservation Plan shall also be approved by the Northern Virginia Soils and Water Conservation District, that addresses nutrient management, integrated pest management, and erosion control issues to protect water quality in the Pond Branch watershed. The Best Management Practices (BMPs) in the plan shall also include: (i) Preservation of a vegetative buffer with the RPA, ~~and, an~~ (ii) use of a volume-controlled irrigation system, or the capability to collect and reuse excess irrigation water, (iii) prescriptive use of nutrients and pesticides, (iv) educational program for employees, regarding the impact on the environment. The plan shall be subject to monitored monitoring by the Northern Virginia Soil and Water Conservation District.~~

12. All new and replacement lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance. ~~Any All outdoor lighting of the site shall be in accordance with the following:~~  
~~Lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. There shall be no uplighting on site, including any sign or building.~~
- ~~The height of any light fixtures shall be measured from grade to the top of the fixture, structure for For the tennis courts, height shall not exceed twenty (20) feet.; for the swimming pool and parking lot, height shall not exceed fourteen (14) feet.~~
  - ~~The height of any light fixture shall be measured from grade to the top of the structure for the swimming pool and swimming pool parking shall not exceed fourteen (14) feet in height.~~
  - ~~The lights, including any associated with an air enclosed bubble, shall be controlled by an automatic shut-off device which turns off the lights thirty (30) minutes following the commencement of activities.~~
  - ~~There shall be no outdoor lighting for the golf driving range.~~
13. ~~Prior to issuance of the Non-RUP for the proposed use, the applicant shall demonstrate that all signage on site is in conformance with Article 12 of the Zoning Ordinance. Any signage deemed non-conforming shall be removed from the site prior to issuance of the Non-RUP for the proposed use.\*~~
13. Prior to issuance of the Non-RUP for the proposed use, the applicant shall ~~construct complete~~ a Stone Dust Trail, as recommended by the Comprehensive Plan Trails Map on the east side of Walker Road. The trail shall be constructed within the trail easement located on the property's Walker Road frontage according to the requirements of the Public Facilities Manual (PFM) to the satisfaction of the Department of Public Works and Environmental Services (DPWES).

14. The existing ingress-egress easement that provides access to Beech Mill Road shall only be used from dawn to dusk. A gate located on the application property and outside of the easement area shall be locked daily at 10:00 p.m. These restrictions shall be published in the next each edition of the Applicant's monthly newsletter. ~~following approval of this Special Exception Amendment, and published in the newsletter periodically thereafter.~~
15. Prior to site plan approval, the proposed revision to the RPA boundary shall be submitted to DPWES following the final delineation of on-site wetlands by the Army Corps of Engineers (ACOE). If not approved, by ACOE, this SEA shall be null and void.
- ~~16. Subject to receipt of permission from the property owner of Tax Map 8-1 ((2)) 8, which permission shall be diligently pursued, the Applicant shall install a speed bump within the existing ingress-egress easement that provides access to Beach Mill Road as a traffic calming measure. The speed bump, if permitted by the property owner, shall be installed prior to the issuance of the Non-RUP for the proposed use. Should the property owner not grant permission for the installation of a speed bump within thirty (30) days of a written request, there shall be no further obligation under this condition. The Applicant shall demonstrate to DPWES in writing of any failed attempts to acquire the permission of the property owner of Tax Map 8-1 ((2)) 8 to install the speed bump.\*~~
- ~~17. The Applicant shall enforce a strict no parking restriction along the existing ingress-egress easement that provides access to Beach Mill Road.\*~~
- ~~18. If not already completed, the Applicant shall remove the existing plaque identifying the name and address of River Bend Golf and Country Club and any associated illumination located in proximity to the existing ingress-egress easement that provides access to Beach Mill Road.\*~~
- ~~19. Prior to site plan approval the applicant shall provide documentation supporting the proposed work from both the Army Corps of Engineers (ACOE) and the Virginia Department of Environmental Quality (DEQ).~~
16. The applicant shall submit a A final planting schedule and list of proposed plant materials shall be submitted for review and approval by the Urban Forest Management to assure that native plant materials are used wherever possible and that a sufficient amount of plant materials are provided within the proposed restoration areas. ~~where they will not interfere with existing tees, greens and fairways.~~
- ~~21. Prior to site plan approval for the improvements associated with the SEA, the applicant will coordinate with DPWES and the owner of Tax Map Parcel 7-2 ((1)) 41 to attempt to find a mutually acceptable approach to lessening the impact of the western pond's (lying on Tax Map Parcel 8-1((1)) 23) emergency spillway. The applicant shall implement the agreed upon improvements to the satisfaction of DPWES. If, after diligent pursuit, an agreement is not achieved that there are no reasonable means for the applicant to employ to remedy the flooding on Tax Map~~

~~Parcel 7-2 ((1)) 41, the applicant will escrow an amount to be determined by DPWES to be equivalent to a proportional share of the amount needed to remedy any ponding which occurs above the normal pool elevation of the pond.~~

17. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., below the flood level.
18. No materials removed during pond dredging shall be placed within the floodplain or RPA.
19. Prior to final site plan approval for the disturbances within the RPA, a Water Quality Impact Assessment shall be submitted and approved by DPWES.
20. Prior to the issuance of the Non-RUP for the golf course improvements associated with the SEA, the applicant shall remove the existing 12-inch diameter corrugated metal primary outfall pipe for the westernmost pond, and replace it with a 24-inch diameter pipe to restore the outfall to its originally constructed size, to the satisfaction of DPWES.
21. The applicant shall identify and dedicate appropriate floodplain easements within the 100-yr floodplain to the satisfaction of DPWES.
22. No fill within the floodplain shall increase the water surface elevation above the 100-yr. flood level upstream and/or downstream of the proposed improvements, as determined by DPWES.
23. All uses and activities within the floodplain shall be subject to the provisions of the Chesapeake Bay Preservation Ordinance, as determined by DPWES.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established as evidenced by the issuance of a new Non-RUP. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.